

AMENDED IN SENATE APRIL 23, 2014

AMENDED IN SENATE MARCH 27, 2014

SENATE BILL

No. 1172

Introduced by Senator Steinberg

(Principal ~~coauthor~~: ~~coauthors~~: Assembly Member ~~Members~~ *Buchanan*
and Gonzalez)

(~~Coauthor~~: Assembly Member ~~Buchanan~~)

February 20, 2014

An act to amend Section 49455 of the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

SB 1172, as amended, Steinberg. Pupil health: vision appraisals.

Existing law requires, upon first enrollment in a California school district of a child at an elementary school, and at least every 3rd year thereafter until the child has completed the 8th grade, the child's vision to be appraised by the school nurse or other authorized person, as specified. Existing law requires this appraisal to include tests for visual acuity and color vision. Existing law requires gross external observation of the child's eyes, visual performance, and perception to be done by the school nurse and the classroom teacher.

This bill would instead require a pupil's vision to be appraised by the school nurse or other authorized person during ~~kindergarten, first grade,~~ *kindergarten* or upon first enrollment or entry in a California school district of a pupil at an elementary school, and in grades 2, 5, and ~~8~~: 8, *except as provided*. The bill would revise the functions to be performed by the school nurse and the classroom teacher in observing a pupil's eyes, appearance, and other factors that may indicate vision difficulties. The bill would require the State Department of Education to adopt

guidelines to implement those provisions, including training requirements and a method of testing for near vision. Because the bill would impose additional duties on public schools, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49455 of the Education Code is amended
2 to read:
3 49455. (a) ~~(1)~~ During the kindergarten-year, first-grade, year
4 or upon first enrollment or entry in a California school district of
5 a pupil at an elementary school, and in grades 2, 5, and 8, the
6 pupil's vision shall be appraised by the school nurse or other
7 authorized person under Section 49452. ~~This~~
8 (2) *A pupil whose first enrollment or entry occurs in grade 4*
9 *or 7 shall not be required to be appraised in the year immediately*
10 *following the pupil's first enrollment or entry.*
11 (b) The appraisal shall include tests for visual acuity, including
12 near vision, and color vision; however, color vision shall be
13 appraised once and only on male pupils, and the results of the
14 appraisal shall be entered in the health record of the pupil. Color
15 vision appraisal need not begin until the male pupil has reached
16 the first grade. ~~The~~
17 (c) The appraisal may be waived, if the pupil's parents so desire,
18 by their presenting of a certificate from a physician and surgeon,
19 a physician assistant practicing in compliance with Chapter 7.7
20 (commencing with Section 3500) of Division 2 of the Business
21 and Professions Code, or an optometrist setting out the results of
22 a determination of the pupil's vision, including visual acuity and
23 color vision.
24 ~~(b)~~

1 (d) Continual and regular observation of the pupil's eyes,
2 appearance, behavior, visual performance, and perception that may
3 indicate vision difficulties shall be done by the school nurse and
4 the classroom teacher.

5 ~~(e)~~

6 (e) This section shall not apply to a pupil whose parents or
7 guardian file with the principal of the school in which the pupil is
8 enrolling, a statement in writing that they adhere to the faith or
9 teachings of any well-recognized religious sect, denomination, or
10 organization and in accordance with its creed, tenets, or principles
11 depend for healing upon prayer in the practice of their religion.

12 ~~(f)~~

13 (f) The department shall adopt guidelines to implement this
14 section, including training requirements and a method of testing
15 for near vision.

16 SEC. 2. If the Commission on State Mandates determines that
17 this act contains costs mandated by the state, reimbursement to
18 local agencies and school districts for those costs shall be made
19 pursuant to Part 7 (commencing with Section 17500) of Division
20 4 of Title 2 of the Government Code.